



11203

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5618P3665

First Inventor William E. Webler, et al.

Title Valve Aptation Assist Device

Express Mail Label No. EV339919565US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

**ADDRESS TO:**
 Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
*See 37 CFR 1.27.*
3.  Specification *[Total Pages 72 ]*  
*(preferred arrangement set forth below)*  
 - Descriptive title of the Invention  
 - Cross References to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table,  
 or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings *(if filed)*  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure
4.  Drawing(s) *(35 U.S.C. 113) [Total Sheets 42 ]*
5. Oath or Declaration *[Total Pages ]*  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 C.F.R. § 1.63(d))  
*(for continuation/divisional with Box 18 completed)*  
 i.  **DELETION OF INVENTOR(S)**  
*Signed statement attached deleting inventor(s)*  
*named in the prior application, see 37 CFR*  
*1.63(d)(2) and 1.33(b).*
6.  Application Data Sheet. See 37 CFR 1.76
7.  CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:  
 i.  CD-ROM or CD-R (2 copies); or  
 ii.  paper
- c.  Statements verifying identity of above copies

9.  Assignment Papers (cover sheet & document(s))
10.  37 C.F.R. § 3.73(b) Statement *(when there is an assignee)*  Power of Attorney
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*  Application Amended to Reflect Claim of Priority
15.  Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i).  
 Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_

Prior application Information: Examiner \_\_\_\_\_

Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS** CustomerNumber

08791

or  Correspondence address below

Name				
	Blakely, Sokoloff, Taylor & Zafman LLP			
Address	12400 Wilshire Boulevard, 7th Floor			
City	Los Angeles	State	California	Zip Code
Country		Telephone	(310) 207-3800	Fax

Name (Print/Type)	William Thomas Babbitt	Registration No. (Attorney/Agent)	39,591
Signature		Date	11/12/03

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 1,878.00)

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	William E. Webler
Examiner Name	
Group/Art Unit	
Attorney Docket No.	5618P3665

## METHOD OF PAYMENT (check all that apply)

Check     Credit card     Money Order     Other     None

Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below     Credit any overpayments
- Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		FeePaid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1001	770	2001	385	Utility filing fee
1002	340	2002	170	Design filing fee
1003	530	2003	265	Plant filing fee
1004	770	2004	385	Reissue filing fee
1005	160	2005	80	Provisional filing fee
<b>SUBTOTAL (1)</b>		<b>(\$ 770.00)</b>		

### 2. EXTRA CLAIM FEES

Total Claims	72	- 20* =	52	x 18.00 =	\$936.00
Independent Claims	5	3** =	2	x 86.00 =	\$172.00

Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 1,108.00)</b>		

\*or number previously paid, if greater, For Reissues, see below

## 3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	FeePaid
1051	130	2051	65	Surcharge - late filing fee or oath			
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet			
2053	130	2053	130	Non-English specification			
1812	2,520	1812	2,520	For filing a request for ex parte reexamination			
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action			
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action			
1251	110	2251	55	Extension for reply within first month			
1252	420	2252	210	Extension for reply within second month			
1253	950	2253	475	Extension for reply within third month			
1254	1,480	2254	740	Extension for reply within fourth month			
1255	1,210	2255	605	Extension for reply within fifth month			
1404	330	2401	165	Notice of Appeal			
1402	330	2402	165	Filing a brief in support of an appeal			
1403	290	2403	145	Request for oral hearing			
1451	1,510	2451	1,510	Petition to institute a public use proceeding			
1452	110	2452	55	Petition to revive - unavoidable			
1453	1,330	2453	665	Petition to revive - unintentional			
1501	1,330	2501	665	Utility issue fee (or reissue)			
1502	480	2502	240	Design issue fee			
1503	640	2503	320	Plant issue fee			
1460	130	2460	130	Petitions to the Commissioner			
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)			
1806	180	1806	180	Submission of Information Disclosure Stmt			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)			
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))			
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))			
1801	770	2801	385	Request for Continued Examination (RCE)			
1802	900	1802	900	Request for expedited examination of a design application			
Other fee (specify)							

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	William Thomas Babbitt	Registration No. (Attorney/Agent)	39,591	Telephone	(310) 207-3800
Signature		Date	11/12/03		

Based on PTO/SB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 08/11/2003.  
SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	William E. Webler
Title	Valve Aptation Assist Device
Attorney Docket Number	5618P3665

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/12/03  
Date

  
Signature

William Thomas Babbitt, Reg. No. 39,591  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).**

Express Mail No.: EV339919565US  
DOCKET NO.: 5618P3665

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WILLIAM E. WEBLER, ET AL.

Application No.:

Art Group:

Filed:

Examiner:

For: **Valve Aptation Assist Device**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF FORMAL DRAWINGS**

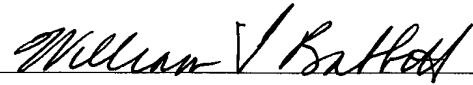
Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 42 sheets including 72 Figures. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,  
Blakely, Sokoloff, Taylor & Zafman LLP

Dated:

11/12/03

  
\_\_\_\_\_  
William Thomas Babbitt, Reg. No. 39,591

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